for implementation of the provisions of the National Rural Employment Guarantee Act, 2005 have not yet been finalised.

Implementation of Land Reforms

†876. PROF. ALKA BALRAM KSHATRIYA: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether Government have under taken a study at the national level for the implementation of land reforms in the States;

(b) if so, the details thereof;

(c) whether the land reforms are being implemented on a much lower scale than the expected one; and

(d) if so, what are the details as to the latest position in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRIMATI SURYAKANTA PATIL): (a) No, Sir. However, the Ministry had constituted an Expert Group, in 2000, on the Prevention of Alienation of Tribal Land and its Restoration as part of the Land Reforms Programme. The Lal Bahadur Shastri National Academy of Administration, Mussoorie has conducted State specific assessment studies in respect of different States on land reforms. But, these studies are not at the national level for the implementation of land reforms in the States.

(b) A statement showing the major Recommendations of the Expert Group in brief is annexed. (*See* below)

(c) and (d) Land and its management falls within the administrative jurisdiction of the respective States as provided under entry No. 18 of State List (List II) of Seventh Schedule to the Constitution of India. The role of the Central Government in the field of land reforms is only advisory and coordinating. The implementation of Land Reforms programmes are reviewed from time to time at various for a including Conferences of Revenue Ministers/Secretaries organized by this Ministry.

In view of these concerted efforts, the State Governments have so far provided ownership rights to 124.22 lakh tenants covering an area of 156.30 lakh acres. 53.18 lakh beneficiaries have been provided with 49.19 lakh acres of ceiling surplus land. 147.47 lakh acres of Government wastelands and 21.75 acres of Bhoodan land have been distributed to the landless rural poor. 4.31 lakh acres of alienated tribal land have been restored to the tribal community.

†Original notice of the question was received in Hindi.

Statement

Major recommendations of the Expert Group Constituted for land reforms

- Highest priority should be accorded to the preparation and updating of land records in tribal areas with active participation of tribal communities.
- The land rights of the scheduled tribes extend to land owned by them, community lands, forests and water. For recognizing the urgent need for survey to record the rights of tribals, an immediate enjoyment survey to establish the rights of the tribal people with a certain stipulations is recommended.
- A campaign mode should be followed for verification of title and possession of land.
- The revenue machinery should enable collection of all documents including from the non-government sources facilitating free availability for inspection.
- A village level committee should be constituted for each village in the scheduled area for issuing a joint statement indicating the final outcome of the survey.
- Modern technologies should be put to use and computerization of all records including digitization of maps and inbuilt updating procedures should be resorted to.
- The community land of the tribals must of recorded in the name of the community.
- The legal provisions prohibiting the alienation of tribal lands in Scheduled V Areas and its restoration should be extended to the non-scheduled areas also.
- A complete ban on all forms of transfers of tribal lands should be enforced.
- The State Government should think of establishing a Land Bank which purchase tribal and non-tribal land being sold and settle the same with tribals.
- Transactions in land should be banned from non-tribals to non-tribals in the Scheduled Areas but permitted from non-tribals to tribals.

- The law/regulation banning the transfer and alienation of tribal land shall prevail over any other law, circular or instruction in force.
- The process of restoration of the alienated should not be barred by any limitation.
- Jurisdiction for proceedings involving transfer or alienation of land belonging to Scheduled Tribes shall be exclusively vested with prescribed Revenue and Special Courts and civil courts shall have jurisdiction in these proceedings.
- There would be time-bound disposal for completion of these cases within a maximum period of three months and the cases shall deemed to have been disposed in favour of the tribal litigant, unless it disposed by the concerned Court within the time-frame to be fixed.
- There is an urgent need for restricting the number of appeals and revisions in the land alienation cases. If the order of the Revenue and Special Court is in favour of the tribal, an appeal shall be permitted only after execution of the order of such Court by way of physical restoration of the disputed land.
- The District Authorities should be empowered to take *suo moto* action for detection and restoration of land belonging to a member of the Scheduled Tribe.
- In proceedings involving transfer of land belonging to Scheduled Tribes, oral evidence adduced by a member of the Scheduled tribe and the evidence obtained in field enquiry, should be deemed as conclusive proof to establish the right and title of the tribal people. In all cases involving transfer of land belonging to Scheduled tribes to a non-tribal person, the onus of proof that interest in land has been legally acquired in accordance with the provisions of law will be squarely on the non-scheduled tribe claimant.
- All laws should expressly provide that the land shall invariably be restored to the tribal people.
- Where a competent authority has passed an order of restoration of land to a Scheduled Tribe claimant, if an appeal or revision petition has been filed against this order, the disputed land unless already restored to the Scheduled Tribe claimant shall be placed in the possession of the Government.

- There is an urgent need to incorporate deterrent measures against alienation of land belonging to Scheduled Tribes.
- A Central guidance be issued to the State Governments concerned so that the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 is effectively implemented.
- The Expert Group has urged the enactment by Parliament of an enabling legislation regarding alienation of land belonging to Scheduled Tribes making incorporation of the provisions of the enabling legislation as mandatory in all laws/regulations made by the respective State Governments in this regard.

Saline land in the country

†877. PROF. ALKA BALRAM KSHATRIYA: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether some land of the country being saline is unfit for agriculture;

(b) if so, the State-wise details thereof;

(c) whether Government have chalked out any time-bound programme for making such land arable; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI A. NARENDRA): (a) As per the recent Wastelands Atlas of India-2005 brought out by the Department of Land Resources, Ministry of Rural Development in collaboration with the National Remote Sensing Agency (NRSA), Hyderabad using satellite imagery data, an area of 12.02 lakh ha. In the country is suffering from some degree of salinity/ alkalinity and is having lower agricultural productivity.

(b) The State-wise details on the extent of land affected by salinity/ alkalinity are given in the Statement. (*See* below)

(c) and (d) There is no specific programme for reclamation of the saline lands.

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†*Original notice of the question was received in Hindi.*